International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the initial report of Bangladesh*

1. The Committee considered the initial report of Bangladesh (CMW/C/BGD/1) at its 340th and 344th meetings (see CMW/C/SR.343 and 344), held on 3 and 4 April 2017. At its 359th meeting, held on 13 April 2017, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of the State party, its replies to the list of issues (CMW/C/BGD/Q/1/Add.1), and the additional information provided by the delegation during the dialogue. The Committee appreciates that the delegation was headed by the Minister of Expatriates' Welfare and Overseas Employment, Nurul Islam, and composed of several representatives of the Ministry of Law, Justice and Parliamentary Affairs, the Ministry of Home Affairs, the Ministry of Labour and Employment, the Ministry of Foreign Affairs, the Bureau of Manpower, Employment and Training and the Permanent Mission of Bangladesh to the United Nations Office and other international organizations in Geneva.

3. The Committee appreciates the constructive dialogue held with the delegation. The Committee, however, regrets that the replies to the list of issues were only submitted on 15 March 2017, which did not allow sufficient time for translation into the working languages of the Committee.

4. The Committee recognizes that Bangladesh, predominantly a country of origin, has made progress in protecting the rights of its migrant workers abroad, although numerous challenges remain. The Committee notes that the State party is also becoming a country of destination and transit and efforts are thus needed to ensure the protection of migrant workers accordingly.

5. The Committee notes that many countries in which Bangladeshi workers are employed are not parties to the Convention, which may constitute an obstacle to migrant workers' enjoyment of their rights under the Convention.

B. Positive aspects

6. The Committee welcomes the adoption of the following legislative measures:

(a) The 2017 implementing rules for the 2012 Prevention and Suppression of Human Trafficking Act;

(b) The 2013 Overseas Employment and Migrants' Act;

* Adopted by the Committee at its twenty-sixth session (3-13 April 2017).

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(c) The 2013 Children's Act;

(d) The 2012 Prevention and Suppression of Human Trafficking Act.

7. The Committee also welcomes the following institutional and policy measures:

(a) The 2016 policy on expatriates' welfare and overseas employment;

(b) The establishment of the Complaints Management Cell for Expatriate Female Workers in May 2016;

(c) The 2015-2017 National Plan of Action for Combating Human Trafficking;

(d) The 2015 standard operating procedures on recruitment monitoring;

(e) The 2015 National Social Security Strategy;

(f) The 2014 standard operating procedures for diplomatic and other officials dealing with Bangladeshi migrant workers overseas.

8. The Committee appreciates the State party's leading role in regional consultative processes such as the Colombo Process, the Abu Dhabi Dialogue as well as the Global Forum on Migration and Development.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

9. The Committee is concerned that all provisions of the Convention have not yet been fully incorporated into the national legislation, and that the bill on immigration and the implementing rules for the Overseas Employment and Migrants' Act have not yet been adopted.

10. **The Committee recommends that the State party strengthen its efforts to ensure that the State party's legislation is in full conformity with the Convention, including as it relates to procedural guarantees mandated under articles 16, 18 and 19 of the Convention, which are not yet covered under the Constitution and other general laws, and that it adopt without further delay the bill on immigration and the implementing rules for the Overseas Employment and Migrants' Act.**

Articles 76-77

11. **The Committee recommends that the State party consider making the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive and consider communications from States parties and individuals concerning violations of rights established by the Convention.**

Ratification of relevant instruments

12. **The Committee recommends that the State party consider ratifying or acceding to the International Convention for the Protection of All Persons from Enforced Disappearance as soon as possible.**

Comprehensive policy and strategy

13. While noting the adoption in January 2016 of the policy on expatriates' welfare and overseas employment, the Committee is concerned that it has not been implemented.

14. **The Committee recommends that the State party develop a comprehensive, gender-responsive and human rights-compliant strategy that is supported by sufficient human, technical and financial resources and a monitoring mechanism for the implementation of the policy on expatriates' welfare and overseas employment.**

Coordination

15. The Committee notes, as per the State party's report, that the State party has faced certain institutional coordination gaps and limitations in relation to the implementation of the Convention and reporting thereon.

16. **The Committee recommends that the State party further enhance the role and capacity of the Ministry of Expatriates' Welfare and Overseas Employment by providing it with the human, technical and financial resources, as well as the mandate, necessary to effectively coordinate comprehensive migration policies at all levels and to assess the impact of such policies and programmes on the rights of migrant workers and members of their families, both within the State party and abroad.**

Data collection

17. While appreciating the State party's efforts to provide data on its migrant workers abroad, the Committee is concerned that labour migration statistics are produced in a fragmented way and do not include migrant workers in an irregular situation, children of migrant workers remaining in the State party or migrant workers in the State party.

18. **The Committee recommends that the State party establish a centralized and comprehensive database covering all aspects of the Convention and ensure that data is collected on the status of migrant workers in the State party. It encourages the State party to compile information and statistics that are disaggregated by sex, age, nationality, reason for entry and departure from the country and the type of work performed, in order to effectively inform relevant policies and the application of the Convention in line with target 17.18 of the Sustainable Development Goals. In cases where it is not possible to obtain precise information, such as those relating to migrant workers in an irregular situation, the Committee requests the State party to provide data based on studies or estimates.**

Independent monitoring

19. While welcoming that the National Human Rights Commission examines allegations of violations of rights of Bangladeshi migrant workers, the Committee is concerned that the Commission does not:

(a) Fully comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(b) Have a mandate to investigate violations involving the military, police and security forces;

(c) Have an appropriate level of funding and financial autonomy to deal adequately with complaints from migrant workers.

20. **The Committee recommends that that the State party seek technical assistance from the Office of the United Nations High Commissioner for Human Rights with a view to ensuring that the national institution is fully compliant with the Paris Principles, including in respect of the breadth of the institution's mandate and financial autonomy. The Committee also recommends that the State party provide adequate financial and human resources to the Commission to enable it to effectively discharge its mandate, including dealing with complaints from migrant workers.**

Training on and dissemination of information about the Convention

21. The Committee welcomes the various measures taken by the State party to disseminate information about the Convention and its provisions and to provide training to consular officials and labour attachés on protecting the rights of migrant workers. The Committee is, however, concerned that efforts to provide training on the Convention and to disseminate the Convention and information on the rights enshrined therein to all relevant stakeholders have been insufficient.

22. **The Committee recommends that the State party:**

(a) **Develop education and training programmes on the rights of migrant workers and members of their families under the Convention, incorporating a gender perspective, and that such programmes be made available to all officials and persons working in the area of migration, in particular law enforcement and border authorities, judges, prosecutors and relevant consular officials, as well as national, regional and local officials, social workers and civil society organizations;**

(b) **Take further steps to ensure access by migrant workers to information and guidance on their rights under the Convention, in particular through pre-employment and pre-departure orientation programmes;**

(c) **Strengthen its work with civil society organizations and the media to disseminate information about the Convention throughout the State party.**

Participation of civil society

23. The Committee is concerned that:

(a) Civil society in the State party does not feel sufficiently included in or consulted on the implementation of the Convention;

(b) Representatives of migrant workers' associations are not represented on the Wage Earners' Welfare Board or the board of the Expatriates Welfare Bank (Probashi Kallyan Bank).

24. **The Committee recommends that the State party:**

(a) **Consider more proactive ways of systematically involving civil society and non-governmental organizations in the implementation of the Convention, including in countries where Bangladeshi migrant workers are employed, and in negotiating and monitoring bilateral agreements;**

(b) **Adopt the proposed Expatriates' Welfare Board Act, ensuring that representatives of migrant workers' associations are included on that board and the board of the Expatriates' Welfare Bank (Probashi Kallyan Bank).**

2. General principles (arts. 7 and 83)

Non-discrimination

25. While noting the general constitutional prohibition on discrimination, the Committee is concerned that the State party does not intend to amend the Bangladesh Labour Act of 2006 to include a prohibition of direct and indirect discrimination on all the grounds enumerated in the Convention (arts. 1 (1) and 7).

26. **The Committee recommends that the State party:**

(a) **Amend the Bangladesh Labour Act of 2006 to include a prohibition of direct and indirect discrimination on all the grounds enumerated in the Convention (arts. 1 (1) and 7), with respect to all aspects of employment and occupation and covering all workers, including domestic workers and workers in the informal sector;**

(b) **Take all legislative and policy measures necessary to ensure that all documented and undocumented migrant workers and members of their families, both documented and undocumented, within the territory, or subject to its jurisdiction, enjoy without discrimination the rights recognized by the Convention, in accordance with article 7 thereof.**

Right to an effective remedy

27. While noting the existence of the various complaints mechanisms, the Committee is concerned:

(a) That migrant workers do not have adequate counsel and lack information on their rights and the remedies available within the State party's justice system;

(b) About the ineffective handling of complaints owing, inter alia, to inadequate resources and training provided to staff, including training on complaint management skills and gender sensitivity;

(c) The fact that undocumented migrant workers may be unable to seek justice for violations of their rights for fear of being punished with imprisonment of up to five years for illegal entry under the 1946 Foreigners Act.

28. **The Committee recommends that the State party:**

(a) **Ensure that, in law and in practice, migrant workers and members of their families, including those in an irregular situation, have opportunities equal to those of nationals of the State party to file complaints and obtain effective redress in the courts when their rights under the Convention have been violated, including by removing obstacles to access to justice for undocumented migrants, such as the risk of punishment under the 1946 Foreigners Act;**

(b) **Intensify its efforts to inform migrant workers and members of their families, including those in an irregular situation, about the judicial and other remedies available to them in cases involving a violation of their rights under the Convention;**

(c) **Allocate additional and sufficient resources to the complaints mechanisms, ensure regular capacity-building and skills enhancement for their staff, and enhance legal assistance to help migrant workers pursue claims;**

(d) **Ensure that returned migrant workers whose rights have been violated obtain appropriate redress, including financial compensation, and that there are specific arrangements to handle complaints of sexual or gender-based violence.**

3. Human rights of all migrant workers and members of their families (arts. 8-35)

Border management and migrants in transit

29. The Committee is concerned that irregular entry into the State is a criminal offence, punishable under the 1946 Foreigners Act. The Committee is also concerned about reports of human rights abuses targeting foreign nationals at the State party's international borders.

30. **The Committee recommends that the State party decriminalize irregular entry. The Committee also recommends, in line with the Recommended Principles and Guidelines on Human Rights at International Borders, that the State party respect its human rights obligations at all border crossings, including the right to due process for all migrants regardless of their status, and ensure that border governance measures address and combat all forms of discrimination by State actors at international borders and that they comply with the principle of non-refoulement and the prohibition of arbitrary and collective expulsions.**

Labour exploitation and other forms of ill-treatment, including child labour

31. The Committee is concerned about reports that:

(a) Undocumented nationals of Myanmar working in the State party, including children, are frequently subjected to sexual and gender-based violence, as well as sexual and labour exploitation, including forced labour, and other forms of ill-treatment in the State party;

(b) Indian migrant workers are subjected to debt bondage in the brick kiln sector in the State party.

32. **The Committee recommends that the State party:**

(a) **Provide adequate assistance, protection and rehabilitation, including psychosocial rehabilitation, to all migrant workers who are victims of sexual and labour exploitation, especially women and children;**

(b) **Increase labour inspections and prosecute, punish and sanction persons or groups exploiting all migrant workers, both documented and undocumented, or subjecting them to forced labour and abuse, especially in the informal economy, in line with targets 8.7 and 16.2 of the Sustainable Development Goals;**

(c) **Ratify the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138).**

Due process, detention and equality before the Courts

33. The Committee is concerned about the lack of information regarding due process guarantees for migrant workers and members of their families in criminal and administrative proceedings, including detention and expulsion.

34. **The Committee recommends that the State party:**

(a) **Take the steps necessary to ensure that in administrative and judicial proceedings, including detention and expulsion proceedings, migrant workers and members of their families, particularly those in an irregular situation, are guaranteed due process on an equal basis with nationals of the State party before the courts and tribunals;**

(b) **Ensure that the minimum guarantees enshrined in the Convention are assured with regard to administrative and judicial procedures against migrant workers and members of their families.**

Consular assistance

35. The Committee welcomes the various measures taken by the State party to strengthen its consular assistance, including the establishment of labour wings in its foreign missions and the appointment of labour attachés. However, the Committee is concerned:

(a) That Bangladeshi migrant workers suffer numerous violations of their rights in States of employment, including sexual and gender-based violence, the consular assistance they receive is insufficient, and the responsible officers are not adequately trained;

(b) That a lack of qualified and responsive personnel and resources at the labour wings, the inconvenient operating times of the wings and the high costs associated with legal assistance prevent migrant workers from benefiting properly from existing services;

(c) About the lack of data on Bangladeshi migrant workers detained in countries of employment and the support provided to them;

(d) About the lack of specialized support for woman migrant workers, especially survivors of rape and sexual violence, as well as the lack of information on efforts to increase the gender sensitivity of staff dealing with labour issues in embassies and consulates in the State party.

36. **The Committee recommends that the State party:**

(a) **Make the proactive protection of migrant workers, including those in an irregular situation and those working in isolated conditions, a priority concern for its diplomatic missions in destination States;**

(b) **Strengthen the welfare services and consular assistance provided to the State party's migrant workers in destination States, including psychological counselling, legal counselling and shelters for migrants in distress, and ensure that such services and assistance are gender-responsive;**

(c) **Ensure that diplomatic missions are adequately staffed and that staff are properly trained on a human rights-based approach to dealing with all issues faced by migrant workers;**

(d) **Ensure that diplomatic missions in States of employment have specific policies on the prevention of and responses to arbitrary detention and sexual and gender-based violence, including having female officers to deal with cases of sexual**

abuse, a free, hotline that operates around the clock, a roster of competent local lawyers able to help the State party's migrant workers with legal issues and to conduct frequent visits to migrant detention centres.

Social security

37. The Committee is concerned about the lack of transparency regarding the disbursement of funds for migrant workers under the Wage Earners' Welfare Fund. The Committee is also concerned about the lack of information on how bilateral and multilateral agreements concluded in the area of migration, including temporary labour programmes, guarantee social security for Bangladeshi migrant workers.

38. **The Committee recommends that the State party further develop the present ex gratia payments made to migrant workers or their families from the Wage Earners' Welfare Fund by making the Fund more transparent, non-discriminatory and fair, and that it ensure, through bilateral and multilateral social security agreements, that all migrant workers and members of their families have adequate social protection.**

Birth registration and nationality

39. The Committee is concerned about the lack of clarity as to whether the law accords citizenship to children born prior to 31 December 2008 to a Bangladeshi mother and a non-citizen father. The Committee is also concerned about the lack of specific measures to register migrant children at birth.

40. **The Committee recommends that the State party:**

(a) **Ensure that all children of migrant workers are registered at birth and issued personal identity documents in line with target 16.9 of the Sustainable Development Goals and raise awareness of the importance of birth registration among migrant workers and members of their families, especially those in an irregular situation;**

(b) **Ensure that children born prior to 31 December 2008 to a Bangladeshi mother and a non-citizen father can obtain Bangladeshi citizenship;**

(c) **Accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36-56)

Pre-departure and the right to be informed

41. The Committee is concerned:

(a) At the lack of statistical data on pre-departure programmes and the lack of information on how the State party ensures in practice that private agencies provide adequate pre-departure information to migrant workers;

(b) That pre-departure training does not sufficiently inform migrant workers about their rights under the Convention and in countries of destination or about access to justice and available complaints mechanisms;

(c) That HIV/AIDS information sessions are reportedly usually overlooked in the pre-departure training provided by the Bureau of Manpower Employment and Training, despite the growing number of infections among migrant workers.

42. **The Committee recommends that the State party:**

(a) **Enhance and improve the delivery and the monitoring of the delivery of pre-departure training and information in accordance with the Convention and in a gender-responsive manner, in order to promote informed decision-making and enhance the skill levels of prospective migrant workers, including their language skills and general education level;**

(b) **Empower migrant workers to know their rights and how to claim them, including by providing them with information on fair recruitment, decent work standards, available social protection, financial matters, the local culture, lifestyle and relevant legislation in the destination country, making it clear where there are different standards for women, and by giving them contact information for labour wings and attachés in the States of employment;**

(c) **Ensure that sufficient time and importance is given to HIV/AIDS information sessions during all pre-departure training.**

Right to vote and to be elected in the State of origin

43. The Committee is concerned that the existing legal framework does not allow Bangladeshi migrant workers to vote and be elected in the State party while residing in the countries of employment.

44. **The Committee recommends that the State party take measures, including of a legislative nature, to ensure the right to vote for Bangladeshi migrant workers residing abroad.**

Right to transfer earnings and savings

45. The Committee notes the various measures taken by the State party to facilitate remittances. However, the Committee shares the State party's concerns about the high cost of transferring remittances, as expressed in the State party's reply to the list of issues.

46. **The Committee recommends that the State party continue to take measures to reduce the cost of sending and receiving funds, taking into account the principle of gender equality in line with target 10 (c) of the Sustainable Development Goals, and facilitate access to safe and affordable remittance transfer systems, the productive use of remittances and their low cost transmission to rural regions.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64-71)

International cooperation with countries of destination

47. While noting that the State party has signed several memorandums of understanding and entered into several bilateral agreements, the Committee is concerned that:

(a) Bangladeshi migrant workers suffer numerous violations of their rights in States of employment. For example, they may be deprived of the right to leave their place of work, their salaries may not be paid, their passports may be confiscated and they may face harassment, violence, threats, inadequate living conditions, difficult access to health care and, in some cases, even torture;

(b) Most of the memorandums of understanding and bilateral agreements do not cover provisions relating to access to justice.

48. **The Committee recommends that the State party:**

(a) **Actively promote the ratification of the Convention by destination States and enhance its cooperation with those States in order to prevent violations such as contract substitution, confiscation of passports, non-payment of wages, abuse and exploitation;**

(b) **Continue through the Colombo Process and the Abu Dhabi Dialogue to enhance cooperation among countries of origin, seeking fair recruitment standards and a binding, unified work contract, based on international human rights and labour standards, that sets out the job description, agreed salary, working and living conditions, effective recourse and remedies;**

(c) **Address the situation of migrant workers who are victims of the *kafalah* system, in particular in the Gulf States, and consider raising the issue individually and**

collectively, with a view to encouraging the Governments concerned to abolish that system;

(d) **Promote gender-responsive bilateral, regional and international cooperation in the field of migration with destination States;**

(e) **Negotiate with all destination States binding bilateral agreements that are gender-responsive, provide for protection of migrant workers' human rights, including the right to social security, and include gender-sensitive monitoring mechanisms;**

(f) **Monitor the enforcement of bilateral agreements and ensure that all such agreements and memorandums of understanding signed with destination States are made public, that they are transparent and that their implementation is monitored effectively.**

Domestic migrant workers

49. While welcoming the adoption of the Domestic Workers Protection and Welfare Policy in January 2016, the Committee is concerned that Bangladeshi domestic migrant workers frequently face abuse, harassment and exploitation in the workplace, including domestic servitude, sexual harassment, physical mistreatment, and the practice of withholding payments.

50. **In the light of its general comment No. 1 (2011) on domestic migrant workers, the Committee recommends that the State party:**

(a) **Include in all bilateral agreements a standard contract for domestic workers that is legally enforceable in the State party as well as in the State of employment and includes provisions on, inter alia, wages, working hours, working conditions, overtime pay, annual leave and effective remedies;**

(b) **Establish a reference wage for domestic workers that reflects their skills and experience, which should apply to all workers in all destination States and be included in bilateral agreements;**

(c) **Strengthen its cooperation with States of employment on frameworks and agreements for the protection of the rights of domestic migrant workers;**

(d) **Ensure that abused migrant domestic workers seeking help from its diplomatic missions abroad are provided with shelter, legal assistance, medical and psychosocial care and interpreters;**

(e) **Ratify the International Labour Organization Domestic Workers Convention, 2011 (No. 189).**

Recruitment agencies

51. The Committee welcomes the various measures taken by the State party to strengthen the regulation and monitoring of recruitment agencies, including the establishment of the vigilance task force in 2012 and the State party's cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) on the ethical recruitment of women migrant workers. The Committee notes the State party's commitment to reduce recruitment fees to no more than the equivalent of three months' salary by 2030. The Committee is however concerned about:

(a) Reports that Bangladeshi migrant workers often pay exorbitant recruitment fees and are deceived by local recruiters about the conditions of their contracts, in terms of type of work and salary;

(b) The limited action taken to punish agents or recruiting agencies involved in unlawful and fraudulent practices, including reportedly providing forged training certificates;

(c) The fact that the Overseas Employment and Migrants' Act does not require the recruitment agencies that facilitate the overseas employment of Bangladeshi workers to be licensed in the countries of employment.

52. **The Committee recommends that the State party:**

(a) **Enhance the regulation and monitoring of the recruitment sector by fully and effectively implementing all safeguards provided in the Overseas Employment and Migrants' Act;**

(b) **Ensure that private recruitment agencies provide complete information to individuals seeking employment abroad and that they guarantee the effective enjoyment of all agreed employment benefits, in particular salaries;**

(c) **Investigate illegal and fraudulent practices by recruiters and punish those involved in exploitative practices;**

(d) **Adopt a "no placement fees" policy for persons intending to work abroad.**

Return and reintegration

53. While noting the support provided by the Wage Earners' Welfare Board, the Expatriates' Welfare Bank, in cooperation with UN-Women and other initiatives in this regard, the Committee is concerned that:

(a) Some migrant worker returnees have reported that there are insufficient reintegration services, most importantly for those who may have experienced abuse abroad or are in need of medical care;

(b) Women migrant workers often face family and social reintegration problems upon their return, including being stigmatized as lacking in moral virtue.

54. **The Committee recommends that the State party:**

(a) **Facilitate the repatriation of all migrant workers in need, including those who have escaped from abusive employers or have ended up in an irregular situation, in detention or elsewhere;**

(b) **Enhance the gender-responsive services provided for the reintegration of returned migrant workers, including psychosocial services and livelihood opportunities, particularly providing response services for victims of sexual and gender-based violence and those who have experienced abuse during the migration process;**

(c) **Conduct awareness-raising programmes to highlight the contribution of women migrant workers and combat the stigmatization of returning women migrant workers.**

Illegal or clandestine movements and employment of migrant workers in an irregular situation

55. The Committee welcomes the increase in the number of labour trafficking investigations and the number of prosecutions, as well as the State party's provision of funding for nine multi-purpose shelters, drop-in centres, and safe houses. However, the Committee is concerned that:

(a) There is a lack of effective measures to protect victims and to provide them with effective remedies, including compensation and rehabilitation;

(b) Although rates of prosecution have risen in recent times, they remain low and that perpetrators are not sufficiently punished;

(c) Undocumented Myanmar nationals working in the State party who are victims of trafficking are frequently denied protection and support services.

56. **The Committee recommends that the State party:**

(a) **Continue its efforts to prevent, suppress and punish trafficking in persons, including at the regional level and in cooperation with neighbouring countries and through enhanced inter-agency cooperation, in line with target 5.2 of the Sustainable Development Goals;**

(b) **Increase its efforts to identify and provide protection and assistance to all victims of human trafficking, including undocumented Myanmar nationals working in the State party, in particular by providing gender-sensitive shelters, medical care and psychosocial and other support to assist their reintegration into society;**

(c) **Strengthen gender-responsive training for law enforcement officials, judges, prosecutors, labour inspectors, teachers, health-care workers and the staff employed in its embassies and consulates, and disseminate more widely information on trafficking in persons and on assistance available to victims;**

(d) **Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.**

Repatriation of the bodies of deceased migrant workers and compensation

57. The Committee welcomes the fact that, under the regulations of the Wage Earners' Welfare Board, the family of every deceased Bangladeshi migrant worker, irrespective of his or her legal status, is entitled to compensation and repatriation of the body. However the Committee is seriously concerned about reports that:

(a) Over 5,000 Bangladeshi migrant workers die every year, of whom at least one third are reportedly buried abroad;

(b) Nearly one third of the families of deceased migrant workers do not receive the minimum compensation that they are entitled to;

(c) The cost of repatriating the body is, to a large extent, borne by the migrant workers' family, according to information received;

(d) There is a lack of proper and independent autopsies on the bodies of migrant workers who have died in unexplained circumstances, which would allow the authorities to establish the cause of death, the families to submit a claim for compensation and the Government to develop policies to prevent or further minimize such deaths;

(e) The families of deceased workers face challenges in obtaining legal support to secure unpaid wages, to obtain compensation from employers and to hold the recruiter or recruiting agencies to account in the destination countries.

58. **The Committee recommends that the State party:**

(a) **Ensure that the regulations of the Wage Earners' Welfare Board are implemented and that all bodies of migrants are repatriated free of charge, fully respecting the wishes of their next of kin, and that the families of deceased migrants can benefit from compensation;**

(b) **Conduct independent autopsies on the bodies of all migrant workers from the State party who die abroad and give family members prompt access to the results;**

(c) **Analyse the causes of death of Bangladeshi migrant workers and develop policies to prevent or further reduce such deaths;**

(d) **Strengthen its support to families of deceased migrant workers, to ensure that all those in need receive free legal aid to secure unpaid wages and compensation from employers, and to hold the recruiter or recruiting agencies to account in the destination countries.**

6. Dissemination and follow-up

Dissemination

59. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.**

Technical assistance

60. **The Committee recommends that the State party avail itself of international assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development.**

Follow-up to concluding observations

61. **The Committee requests the State party to provide, within two years (that is, by 1 May 2019), written information on the implementation of the recommendations contained in paragraphs 10, 30, 44 and 56 (a) above.**

Next periodic report

62. **The Committee requests the State party to submit its second periodic report by 1 May 2022. In so doing, the State party may wish to follow the simplified reporting procedure. The Committee draws the State party's attention to its harmonized treaty-specific guidelines (HRI/GEN.2/Rev.6).**